

ASSEMBLY BILL

No. 1864

Introduced by Assembly Member Matthews

January 17, 2006

An act relating to park lands.

LEGISLATIVE COUNSEL'S DIGEST

AB 1864, as introduced, Matthews. Park lands: Fahrens Creek Park.

The existing Roberti-Z'berg-Harris Urban Open-Space and Recreation Program Act (urban open-space act), administered by the Department of Parks and Recreation, authorizes grants to be made by the department to cities, counties, and districts for recreational or open-space purposes. The urban open-space act requires property acquired or developed pursuant to the urban open-space act to be used by the grant recipient only for the purposes for which the grant moneys were requested and prohibits any other use of the area, except as authorized by the Legislature.

The existing California Wildlife, Coastal, and Park Land Conservation Act (conservation act) authorizes grants to be made by the department to cities, counties, districts, and nonprofit organizations for specified purposes, including purposes related to parks. The conservation act requires property acquired, developed, rehabilitated, or restored pursuant to the conservation act to be used only for purposes of the conservation act and prohibits any other use of the property, except as authorized by the Legislature.

This bill would authorize the City of Merced to convert to a use not authorized by the urban open-space act or the conservation act not more than 4 acres of park land in Fahrens Creek Park, if the city complies with the Public Park Preservation Act of 1971, and submits

to the department evidence of that compliance and a revised map of Fahrens Creek Park.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Notwithstanding Sections 5625, 5626, and 5919
- 2 of the Public Resources Code, the City of Merced may convert to
- 3 a use not authorized by those provisions not more than four acres
- 4 of park land in Fahrens Creek Park, if the city does both of the
- 5 following:
- 6 (a) Complies with the Public Park Preservation Act of 1971
- 7 (Chapter 2.5 (commencing with Section 5400) of Division 5 of
- 8 the Public Resources Code), and submits to the Department of
- 9 Parks and Recreation evidence of compliance, including a copy
- 10 of the recorded deed and title policy for, and map of, the
- 11 substitute park land required pursuant to that act.
- 12 (b) Submits to the Department of Parks and Recreation a
- 13 revised map of Fahrens Creek Park, with the revised acreage.
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